REMARKS

The Examiner contends that the certified Swedish priority application was not filed. To the contrary, Applicants submitted a certified copy of the Swedish priority document 9902103-2 on July 17, 2003. A copy of that submission plus the postcard receipt is attached. This fact was brought to the Examiner's attention. The Examiner indicated by telephone that another certified copy should nonetheless be submitted. Accordingly, Applicants hereby attach with this response a second submission of a certified copy of the Swedish priority document application number 9902103-2 filed on June 7, 1999. Acknowledgement of receipt of this certified priority document is respectfully requested.

Claims 10, 11, 13, and 15 remain rejected under 35 U.S.C. §102(b) as being unpatentable by Bridle et al. This rejection is respectfully traversed.

To establish that the claims is anticipated, the Examiner must point out where each and every limitation of that claim is found in a single prior art reference. *Scripps Clinic & Research v. Genentech, Inc.*, 927 F.2d 1565 (Fed. Cir. 1991). Every limitation in the claims must be present in the reference, and if even one limitation is missing from the reference, it does not anticipate the claim. *Kloster Speedsteel AB v. Crucible, Inc.*, 793 F.2d 1565 (Fed. Cir. 1980). Bridle fails to satisfy this rigorous standard.

Regarding claim 10 the Examiner admits that Bridle simply discloses a "template noise spectrum estimate," see page 12, line 3 of the final Office Action. Nonetheless, the Examiner contends that this template noise spectrum estimate may be construed as a

"pre-stored known noise signal." But the Examiner fails to point out where Bridle teaches the claimed input spectrum, which is "of an input signal *in the presence* of a first known noise signal."

Although the Examiner refers to page 1, lines 1-12 of Bridle, this text simply explains that the speech is "in the presence of background noise" page 1, line 7. But the background noise is unknown. In contrast, claim 10 requires that background noise be actually known.

A non-limiting example of the claimed input spectrum is an input signal corresponding to user speech input to a microphone in the presence of a known "ringing" signal, which is the case when a user decides to answer an incoming call (indicated by a known ringing signal) using a particular voice command (corresponding to the input signal). As explained on page 7 of the original specification, known ringing signals that may be used to ring the phone to indicate an incoming call are stored in memory.

In addition, Bridle's template noise spectrum is an estimate of the noise—it is not the actually known noise signal as recited in claim 10. There is no need to estimate these ring signals in claim 10 because they are already known and stored in memory. Bridle also fails to disclose the advantage of reduced complexity in the software/circuitry needed to implement the claimed spectral distance calculator because the noise signal is known and not estimated.

With respect to claims 11 and 13, the Examiner contends that Bridle teaches zeroing the spectral distance "for each frequency input speech spectra which is due to noise (Page 2, ln 63-64)." However, page 2, lines 63-65, specifically say "instead of a

sign a zero value (which denotes a perfect match) to the distant for such a channel, B is giving the *non-zero* value D*" (emphasis supplied). Thus, Bridle teaches the opposite of what the Examiner contends—that for a noise frequency, the spectral distance is given a non-zero value.

Regarding dependent claim 13, the Examiner refers to page 3, lines 10-11 which state that "the spectrum distance is just the sum over all the channels of all the values of D from (c)." Where in this text is there a clear teaching of setting A_i "equal to zero if a frequency f_i of the input signal is due to any known noise and A_i is unity if no noise is present at the frequency f_i?" As pointed out with respect to claim 11 above, D is given a non-zero value D* for noise channels.

The rejection of dependent claim 15 is also improper under 35 U.S.C. §102 because it depends on claim 14, which the Examiner has not rejected for anticipation based upon Bridle.

There are several obviousness rejections which combine Bridle with secondary references. But since the anticipation rejection based upon Bridle is improper, the final rejection is improper and should be withdrawn.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____
John R. Lastova
Reg. No. 33,149

JRL:at
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100